

# **FISCAL NOTE**

## **HB 29 - SB 1615**

February 24, 2003

**SUMMARY OF BILL:** Increases the penalty for domestic assault from a Class A misdemeanor to a Class E felony if a victim is injured or fears imminent injury. If the victim is assaulted because the defendant initiates physical contact that a reasonable person would find extremely offensive, the penalty will be increased from a Class B misdemeanor to a Class A misdemeanor.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$9,737,536/Incarceration\***

**Increase State Revenues - Exceeds \$100,000**

**Decrease Local Govt. Expenditures - Exceeds \$500,000**

**Decrease Local Govt. Revenues - Exceeds \$100,000**

Assumes 1,960 convictions for domestic assault will be elevated from a Class A misdemeanor to a Class E felony. Also, there will be a net decrease in local government expenditures for incarceration of persons convicted of the felony offense versus the misdemeanor offense. It is estimated that fines collected in felony cases will be directed to the state rather than local governments.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director